

Readopt with amendment He-W 696, effective 12-20-11 (Document #10052), to read as follows:**PART He-W 696 NUTRITIONAL SUPPLEMENT FOR WORKING FAMILIES (NSWF)**

He-W 696.01 Purpose. The purpose of Nutritional Supplement for Working Families (NSWF) is to offer working recipients of Supplemental Nutrition Assistance Program (SNAP) benefits a supplemental monthly assistance pursuant to 45 CFR 260.31(a)(1) to be used only to augment their families' nutritional needs and help offset their other financial obligations. Recipients of NSWF shall be counted in the department's work participation rate pursuant to RSA 167:77-a,I(e).

He-W 696.02 Nutritional Supplement for Working Families (NSWF).

(a) Nutritional Supplement for Working Families (NSWF) shall be provided, as funding and resources allow, to single parents residing with at least one dependent child, as defined by RSA 161-B:2, IV, who:

- (1) Are employed for at least 35 hours per week;
- (2) Are receiving SNAP benefits pursuant to 7 CFR 273.10; and
- (3) Do not receive:
 - a. Any category of financial assistance offered by the department;
 - b. Extended SNAP benefits pursuant to He-W 756.06; or
 - c. SNAP benefits described in 7 CFR 273.10(e)(3).

(b) The child who resides with the parent pursuant to (a) above, shall:

- (1) Be under age 18; and
- (2) Not have another biological or adopted parent living in the home.

(c) The self-employed SNAP recipient shall be considered to have met the NSWF employment eligibility requirements in (a)(1) above when:

- (1) His or her net monthly self-employment profit is divided by the federal minimum wage;
- (2) The result of the calculation in (c)(1) above is divided by 4.33 to obtain average hours worked per week; and
- (3) The result of the calculation in (c)(2) above shall meet or exceed the figure described in (a)(1) above.

(d) NSWF shall:

- (1) Begin the next payroll period in which the criteria in He-W 696.02 are met, provided that the NSWF assistance group (AG) meets the criteria on the date payment is made;
- (2) Be issued pursuant to He-W 671.01 and He-W 670.04(a) and (c)-(e);
- (3) Be calculated by dividing the total amount of NSWF funding within the current fiscal year by the total number of currently eligible NSWF households and rounding the resulting figure down to the nearest dollar; and

(4) Be used only to purchase SNAP-eligible items pursuant to 7 CFR 271.2.

(e) If the number of eligible NSWF households has increased to such a number that it would cause the depletion of NSWF funds before the end of the respective fiscal year, the standard monthly NSWF amount calculated pursuant to (d)(3) above shall be reduced to an amount that prevents the depletion of the NSWF funds before the end of that fiscal year.

(f) NSWF shall terminate:

- (1) For the entire AG when any of the eligibility requirements described in He-W 696.02 are not met;
- (2) For the entire AG when a NSWF recipient applies for any category of financial assistance pursuant to He-W 601.01(p); or
- (3) For all recipients when funding and resources within the current state fiscal year are no longer available to offer NSWF.

(g) If the NSWF recipient requests an administrative appeal pursuant to He-C 203.03 to review the department's decision to terminate NSWF, the NSWF recipient:

- (1) Shall not continue to receive NSWF during the appeal process; and
- (2) Shall be denied an administrative appeal if the termination was due to reasons described in (f)(3) above, pursuant to He-C 203.03(g).

(h) The following provisions shall not apply to AGs receiving NSWF:

- (1) Receipt of payments under the emergency assistance program described in He-W 699.05(a)(2);
- (2) Exemption from the child care waitlist pursuant to He-C 6910.10(c);
- (3) The time limits on receipt of financial assistance described in He-W 602.05(a);
- (4) Receipt of employment support services pursuant to He-W 655;
- (5) The title IV-D requirements as defined in He-W 601.08(e); or
- (6) Receipt of NSWF for retroactive periods of time, as described in He-W 601.07(h).

(i) The department shall consider recipients of NSWF to have met all the requirements of He-W 637.03 by being employed for at least the minimum hours per week described in (a)(1) above.

(j) NSWF shall not be provided:

- (1) When an individual has applied for any category of financial assistance; or
- (2) While eligibility for any category of financial assistance is being determined.

(k) NSWF shall be deducted from the SNAP recipient's EBT account and will no longer be available for use, if the benefit:

- (1) Was issued by the department in error;
- (2) Was issued by the department while the individual was ineligible for NSWF; or

(3) Is not used for a period of 90 days pursuant to He-W 671.01(d).

APPENDIX

<u>Rule</u>	<u>Specific State or Federal Statute the Rule Implements</u>
He-W 696.01	RSA 167:3-c,I; RSA 167:77-a,I(e); 42 USC 607(a)(1); 45 CFR 260.31(a)(1); 45 CFR 261.21
He-W 696.02	RSA 161-B:2,IV; 7 CFR 271.2; 7 CFR 273.10; 7 CFR 273.10(e)(3) 45 CFR 261.21